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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Dr. Floyd H. Chilton

Serial No.: 09/644,380

Filed: August 23, 2000

For: DIETARY CONTROL OF  
ARACHIDONIC ACID METABOLISM

Group Art Unit: 1614

Examiner: S. Jiang

Atty. Dkt. No.: WAK200/4-09A8CIP/  
20000

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date below:	
September 28, 2001 Date	 Timothy S. Corder

**RESPONSE TO RESTRICTION REQUIREMENT AND  
PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The present paper is filed in response to an Office Action mailed June 5, 2001, the date for response for which is July 5, 2001. The Commissioner is requested to consider this statement a petition for an extension of time of three months, bringing the response date to October 5, 2001. The fee of \$445.00 in accordance with 37 C.F.R. 1.17(a)(3) is enclosed herewith. No additional fees are believed to be due with the filing of this paper, however, should any fees

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under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Vinson & Elkins L.L.P. Deposit Account No. 22-0365/WAK200/4-009A8CIP/20000.

### **RESPONSE TO RESTRICTION REQUIREMENT**

The Examiner has issued a restriction requirement dividing the claims into two groups:

Group I, claims 1-46 and 49-51, drawn to compositions including a milk based drink, a juice based drink and a dietary supplement; and

Group II, claims 47-48, drawn to a method of treating an inflammatory disorder.

Applicant elects, without traverse to prosecute the invention of Group I, claims 1-46 and 49-51. The Examiner is requested to cancel claims 47 and 48 as drawn to a non-elected invention.

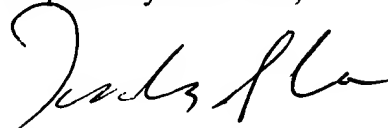
### **PRELIMINARY AMENDMENT**

The following amendment is submitted to correct the Specification in which Figure 16, described in the Specification, was omitted.

The Examiner is requested to enter the following substitute pages for originally filed pages 10-12 and 38-41. A marked up copy of the substituted pages is attached below in which deletions appear in brackets and additions are underlined.

The Examiner is requested to please renumber Figures 17A, 17B, 18A and 18B to Figures 16A, 16B, 17A and 17B, respectively. A copy of the affected drawings with the changes indicated is submitted concurrently herewith.

Respectfully submitted,



Timothy S. Corder

Reg. No. 38,414

Agent for Applicant

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September 28, 2001

Date

Timothy S. Corder

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: *U.S. Patent Application Serial No. 09/644,80 "DIETARY CONTROL OF ARACHIDONIC ACID METABOLISM" by Floyd H. Chilton; Atty. Docket No. WAK200/4-9A8CIP/20000*

Sir:

Enclosed for filing in the above-referenced patent application is:

1. Response to Restriction Requirement and Preliminary Amendment and request for three month extension to October 5, 2001;
2. United States Patent & Trademark Office Credit Card Payment Form; and
3. A return postcard to acknowledge receipt of these document. Please date stamp and mail this postcard.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Assistant Commissioner is hereby authorized to deduct said fees from VINSON & ELKINS L.L.P. Deposit Account No. 22-0365/WAK200/20000.

Respectfully submitted,

Timothy S. Corder  
Patent Agent  
Reg. No. 38,414

\*  
Encl.